

## **Asheville Downtown Commission**

### **DRAFT MINUTES**

**Regularly scheduled meeting date and time: June 8, 2007 at 8:30 am**

**Special location as advertised: Public Works Building Room A-101**

**161 S. Charlotte Street, Asheville**

**Members present:** Jan Davis, Julie Brandt, Jesse Plaster, Kitty Love, Brad Galbraith, Peter Alberice, Pat Whalen, Pam Myers, Guadalupe Chavarria, Dwight Butner

**Members absent:** John Rogers

**Staff present:** Bob Oast, Sam Powers, Ken Putnam, Stephanie Monson, Laura Turner, Janet Dack, Alan Glines, Jessica Leavengood, Nathaniel Wingfield

**Guests attending:** Marge Turcot, Tim Peck, Thom Robinson, Tom Abbott, Mitchell Sorin, Greg Taylor, James Voso, James Sheelor, Carol Pennell, Chris Pelly, Lana LaChere, Michael (last name illegible), John Cram, Betsey Rose Weiss, Loveeta Baker, Brian Postelle, Jennifer Cathey, Bill Bailey, Ellen Bailey, Mark Barrett, Bernie Byrne, Maura O. Evans, Ray Griffin, LR Karpen, Woody Kloesel, Elaine Lite, Peter Loewer, Mark Riley, Scott Riviere, Karen Tessier, Anne Craig.

**WELCOME:** Pat Whalen, the Chairman of the Downtown Commission, gave a brief history of the Commission; explained its role in downtown revitalization over the last twenty plus years; gave an introduction of its current members, and explained the process of Design Review.

**APPROVAL OF MINUTES:** Brad Galbraith made a motion to approve the minutes of the May 2007 Downtown Commission meeting. Jesse Plaster seconded and they were approved unanimously.

### **DOWNTOWN DESIGN REVIEW**

#### ***1. Zona Lofts- Formal Review***

##### **Project Presentation:**

Commission member Julie Brandt was recused from the review/discussion/vote, Planner Jessica Leavengood presented the staff report which noted that all UDO requirements had been met by the development team; As such, staff supports the project and recommends approval of the design.

Architect Bae-Won Koh of Innovative Design in Raleigh, North Carolina presented for the development team:

Project emphasizes affordable price points and green design.

107 of the units (approximate first 7 floors) in the project are aimed for a price point \$120,000 – \$200,000. There are 161 residential units total planned, with 54 parking spaces, 4 handicap accessible spaces, and although only 3 bicycle racks required, 7 are provided to encourage alternative modes of transportation. The architect handed out a sheet that detailed the green features of the project (on file at the Office of Economic Development) and discussed how some of them would work. He discussed how the

building would work on the pedestrian level, specifically how the northern corner on Coxe Avenue had been opened up for pedestrian friendliness. He noted that he appreciated the comments that the Commission had given during the informal review and showed how he had taken them into consideration, including but not limited to the facade colors and articulation on the Coxe Avenue elevation, which now harmonizes more with the neighboring building. Materials samples are available.

**Comments and Questions from the Downtown Commission:**

The Commission asked the development team to clarify the finality of the design as presented, discussed the importance of affordable/workforce housing, and asked them to clarify aspects of the design.

The development team affirmed that this was the final design but should note the change (from the elevation as shown) of the entrance/driveway being concrete not asphalt. There will be no curb/hindrance for pedestrians as the sidewalk must meet ADA requirements, the driveway/entrance would be flush with sidewalk.

The Commission asked the City Traffic Engineer to explain the traffic impact analysis. Commission members discussed vehicular and pedestrian safety issues with staff and the development team. The Chairman asked the City Attorney to comment on the role of the Commission regarding recommendations to City Council's use of the conditional use permit process. Commission members wanted to note that this was the final design and it appeared to not have protruding balconies, and that this design would be the very same design that Council voted on.

**Public Comment:**

Speaker	Concern
Julie Brandt	workforce housing
Elaine Lite	greenspace
Chris Pelly	Long term affordability

**Formal vote:**

Dwight Butner made a motion to approve the project as presented

Kitty Love seconded the motion: second

Further discussion: Brad Galbraith wanted to include Commissioners comments in the motion; The Commission agreed to amend the motion to include "The Downtown Commission approves the project with a strong recommendation to City Council that the workforce housing price points and all green features described in this review (on handout) are included and executed by the development team as part of the Conditional Use Permit.

The Commission unanimously approved the motion as amended.

***2. The Ellington- Formal Review***

**Project Presentation:**

Motion approved to install Peter Alberice as acting Chairman for this design review.

Alan Glines reviewed the staff report and noted that this is a Level III project, requiring City Council approval. Requests for flexible standards/modifications from UDO requirements are outlined in the staff report. Staff recommends not granting a modification to the pedestrian entrance requirement on Biltmore Avenue; accepting modification of a continuing art program to wrap along Lexington and Aston Street in lieu of the fenestration requirement; approval of other modifications and approval of the demolition of a (vacant) building at 35 Biltmore.

Tom Abbott, the CFO for Grove Park Inn (GPI), described the project concept, specifically how it ties to the Grove Park Inn operations (laundry and shuttle); also he discussed the development's creation and funding of an innovative affordable housing fund to be managed by the Community Foundation of Western North Carolina.

Members from the architect's development team focused on areas of concern that the design review subcommittee (of the Downtown Commission) had noted at the last informal meeting: the curb cut/entry on Biltmore, the inclusion of public art on the Aston and Lexington pedestrian levels, questions about balconies, and sustainable design elements of the project.

#### **Commission questions and comments:**

The Commission asked the development team to clarify: materials; legality of selling alcohol in proposed sidewalk café; green development features; affordable housing fund management; shuttle operations; whether a traffic impact study had been done; presence of street trees; valet circulation; building signage; possible water feature; exterior lighting; and proposed café ownership and operation.

The Commission discussed:

the quality of the proposed pedestrian experience; the appropriateness of the suggested activation of street frontage via art programming; the importance of using local tradespersons in addition to local artists; consequences of the curb cut on Biltmore Avenue; design improvements to the top of the building; UDO requirements and design guidelines vs. reality of current development market; height; and the five modifications from design requirements that this project was requesting.

#### **Public Comment:**

<b>Name</b>	<b>Concern</b>
Peter Loewer	traffic impact
Brenda McCauly	local business impact
Ellen Bailey	public parking
Elaine Lite	siting; market need for project
Bob Carr	appropriate sidewalks
Mitchell Sorin	design; pedestrian needs; variances
Bernie Byrd	larger context of downtown
Scott Riviere	sustainability of building/hotel program
James Shielder	building height
Pat Whalen	density; affordable housing fund; local retail

### **Commission members discussion/Motions**

Brandt made a motion that the commission was not ready to vote on this project.

Plaster seconded the motion.

Commission discussed the motion, and clarified why they were delaying a vote (not enough information) and that the members would feel comfortable voting in July if all the information/questions had been addressed. By consensus, the Commission agreed upon the following list to be addressed:

1. Reality of retail space on Lexington or Aston?
2. Completion of traffic study
3. Understand arts program better as a trade-off to retail/other options
4. 3-D model
5. Details of the workforce housing program. Are there location/investment constraints?
6. Green features, especially those that will be included as a part of the structure, and not just landscaping.
7. Prices of units
8. Enhancement of entrance from Biltmore Ave.
9. What will signage look like?
10. Landscaping on Lexington and Aston?
11. Would like to see them look at treating the building from the west in a more bleeding towards the sky style.
12. Comment that ultimately Lexington Ave is very constrained by the utilities beneath the street. I would like retail on Aston, but don't believe that retail is possible on Lexington.
13. Requests that the art be for sale, not just display, ie. It emulates retail.
14. The developer to raise the building one story in order to add a floor of parking in order to accommodate street-level retail.

Glines gave a clarification to the Commission that there need not be retail or art, if they can meet the 50% façade UDO requirement by “punching holes” in the parking garage, they could technically just have holes into the parking garage. Thus the proposed art program as is may even be better than the 50% façade openings required by the UDO.

**VOTE:** motion unanimously voted in favor of as amended by consensus.  
Motion to reinstate Pat as the Chair. Passes unanimously.

### **3. 22 Church Street (Swannanoa Cleaners )Demolition review:**

Butner moves to allow Peter Alberice to recuse himself from the discussion as his architecture firm is representing the development team/Church for the following item; passes unanimously.

### **Project Presentation:**

Planning staff member Alan Glines gave a briefing on the staff report; he noted that the discussion of demolition in the Design Review Guidelines is limited to encouraging rehabilitation over demolition of existing buildings. Like all design review, this demolition review would be mandatory review, voluntary compliance.

Peter Alberice gave a PowerPoint presentation on behalf of the owners/development team. He discussed the site, the building and nearby buildings and the context of the demolition request in detail. The development team has heard concerns from the community regarding the demolition due to the fact that an old church roof is embedded in the existing building's roof and that roof may be part of one of the oldest existing buildings in downtown, therefore this demolition could destroy part of Asheville's oldest history. Alberice showed several photos of the interior of the site and explained that his architectural firm had done extensive investigation of the structure that indicated otherwise. The vast majority of the original church was destroyed in the process of turning the building into a drycleaners in the early 20<sup>th</sup> century, for example any balconies, pulpits, pews no longer exist. The old church roof embedded in the dry cleaners roof and the outline of part of a window opening are the only remnants.

#### **Commission members Comments and Questions:**

The Commission members asked Alberice to clarify: whether an environmental study had been done; whether the building could be rehabbed for an alternative use; what were the limitations on the building and adjoining properties due to past dry cleaning contamination; the total size of the project; historical significance; structural integrity, especially of old church roof; and what the role of the Historic Resources Commission could be in this process.

#### **Public Comment**

- Jennifer Cathy with the State Historic Commission discussed the historical context of the building and asked the Commission to consider its value as a historic building and it's potential value to Asheville.
- Bill Westcott, Preservation Engineer suggested the formation of an ad hoc group to look at the building in person, He estimated it would take two days to look at the building and report back to the commission by the next meeting

#### **Motion**

Butner: Motion to allow Bill to put together a (3-person) ad hoc committee to look at the building in person and report back to the commission at the next meeting with more detail on historic value and how much of the original building exists.

Plaster: Seconds the motion.

#### **Commission Discussion**

Whalen asked Alberice/Development team – would the team object to a 30-day delay to this review? Alberice and Church/owner representative: If we're only a small delay, team is ok with that. A suggestion was made to have John Rogers from the Commission join with Westcott and Cathey for the ad hoc group composition.

**Vote:** Commission unanimously approved motion.

The meeting was adjourned at 1:15 pm

The next regularly scheduled meeting of the Downtown commission will be held on July 13, 2007 at 8:30 am at the Office of Economic Development, 29 Haywood Street in Downtown Asheville. Minutes prepared by J. Dack, L. Turner and S. Monson